

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

FRANK JAMES BYRNE, JR.,
Plaintiff

v.

MCINTYRE, et al.,
Defendants

: No. 3:25-CV-0709
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: (Judge Munley)
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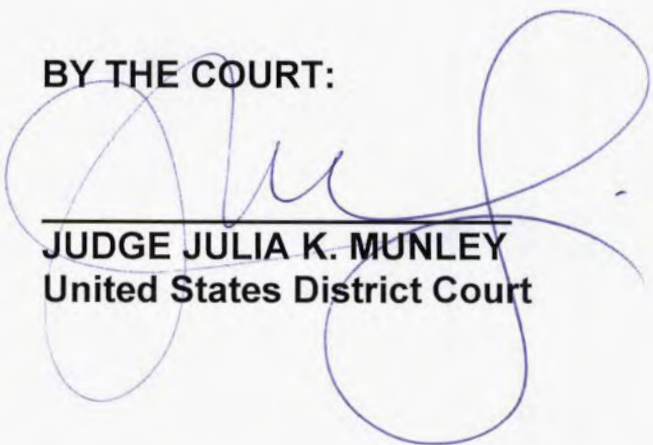
ORDER

AND NOW, to wit, this 23rd day of May 2024, for the reasons set forth in
an accompanying memorandum, it is hereby **ORDERED** that:

- 1) Plaintiff's Section 1983 complaint is **DISMISSED** without prejudice pursuant to 28 U.S.C. § 1915A(b)(1) for failure to state a claim upon which relief may be granted;
- 2) Plaintiff, if he so desires, may refile his lawsuit after he has exhausted administrative remedies;
- 3) Plaintiff's motion (Doc. 11) for an extension of time to file his application for leave to proceed *in forma pauperis* is **DISMISSED** as moot; and
- 4) The Clerk of Court is directed to **CLOSE** this case.

Date: 5/23/25

BY THE COURT:


JUDGE JULIA K. MUNLEY
United States District Court